



REC Review



of Legislative & Regulatory Actions

The Navy Regional Environmental Coordination Office

February 2022

The **REC Review** publishes environmental and energy related developments for DoD/Navy leaders and installation staff. Covering 21 states, the **REC Review** gives early notice of legislative and regulatory activities relevant to DoD interests in Federal Regions 1 & 3 and Navy interests in Federal Regions 2, 4, & 5.

To find out more about the Regional Environmental Coordination (REC) Office and browse back issues of the **REC Review** visit <http://denix.osd.mil/rec/home/>. To receive a copy of this electronic publication, send a subscription request to angela.s.jones7.civ@us.navy.mil.



NAVFAC MIDLANT DoD REC Map

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Table of Contents

SPOTLIGHT.....	1
GENERAL INTEREST/FEDERAL NEWS.....	2
REGION 1.....	5
REGION 2.....	8
REGION 3.....	10
REGION 4.....	15
REGION 5.....	16
MEET THE REC STAFF.....	19
SUBSCRIBE.....	19

SPOTLIGHT STORY

Patuxent River wins Naval District Washington Region Installation Excellence Award

Commandant, Naval District Washington (NDW), Rear Adm. Mike Steffen, has named NAS Patuxent River (Pax River) the NDW Regional winner of the Installation Excellence Award — Large Shore category, which recognizes quality in installation management, program excellence and community outreach.

All of the NDW installations were judged on air and port operations; fire and emergency management; security; safety and health; conservation efforts; planned or completed energy projects; facility improvement; property stewardship; fleet and family readiness; communications and public relations. FY21 was a banner year for Pax River despite budget cuts and the continued dampening effect of the COVID-19 pandemic.

The following are just some of the activities and initiatives that earned Pax River its award: The installation hosted Deputy Secretary of Defense Kathleen Hicks for an Earth Day event highlighting Pax River's Readiness and Environmental Protection Integration (REPI) program, which preserved 1,189 acres in FY21 totaling \$5 million and bringing the grand total to 67 parcels, 12,730 acres, and \$57.3 million, of which \$26.1 million is Navy REPI contribution. Collaborating with Deborah Loomis, the senior advisor to the Secretary of the Navy for Climate Change, Pax River is advocating energy initiatives such as Carbon Sequestration, agricultural out-leasing and forest protection. The installation's 14,500 acres are postured in a position of advantage in a future of climate change.

For more information:

https://www.repi.mil/Portals/44/News/2021/NASPR_18NOV21.pdf

GENERAL INTEREST/FEDERAL NEWS

Notice: *With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.*

GENERAL

Announcing the 2022 Federal Environmental Symposium The Federal sustainability community is cordially invited to attend the 2022 Federal Environmental Symposium, March 28-31, 2022. This year's theme is Mission, Environment, and Our Communities, and will be conducted via webinar-format. The four day event will focus on Federal sustainability initiatives over the past year while encouraging partnerships, sharing of information, and best practices amongst Federal facilities. The event schedule, registration instructions, and continuous updates to the event can be found on the Symposium website. Attendee registration will be available Friday, February 4, 2022 through Friday, March 18, 2022.

<https://www.fedcenter.gov/calendar/conferences/symposium2022/>

<https://www.fedcenter.gov/calendar/conferences/symposium2022/registration/>

DOD, GSA Announce Request for Information to Gather Information for Supplying 24/7 Carbon Pollution-Free Electricity for Federal Government The DOD and the U.S. General Services Administration (GSA) announced a Request for Information (RFI) to gather market information and capabilities in supplying carbon pollution-free electricity to the federal government. This is an important step forward in transforming how the U.S. government buys and manages electricity, and it puts the nation on a path to achieving a carbon pollution-free electricity sector by 2035.

<https://www.gsa.gov/about-us/newsroom/news-releases/dod-gsa-announce-rfi-to-gather-information-for-supplying-24-7-carbon-pollutionfree-electricity-for-federal-government-02032022>

Enforcement and Compliance History Online (ECHO) EJSCREEN Training, Tuesday February 15, 2022 1:30 - 2:30 p.m. EST This webinar focuses on how to use the ECHO facility searches to learn about environmental and demographic data from the U.S Environmental Protection Agency 's (EPA) Environmental Justice Screening and Mapping Tool (EJSCREEN). EPA will demonstrate examples of using ECHO searches and reports to view EJSCREEN data and how to interpret the information. The webinar will cover the following topics: How to search for environmental and demographic data in your community; How to view and interpret EJSCREEN index values at the location of a facility; How to visualize EJSCREEN data on an interactive map. <https://echo.epa.gov/help/training#upcoming>

Environmental Business Council of New England Awards Each year, the Environmental Business Council of New England (EBC) recognizes companies, organizations and individuals for outstanding accomplishment in environmental management, energy resources and management, and climate change through the EBEE Awards. The EBEE Awards are presented at the EBC's Annual Award Celebration, held in June. These awards were established by the EBC to encourage companies, government agencies, non-profit organizations, and environmental professionals to serve as models for others to emulate and, in doing so, further the mission and objectives of the EBC. Nominations are due by Tuesday, March 1, 2022 by 5:00 p.m.

<https://ebcne.org/programs-and-events/annual-ebec-awards/ebec-award-nomination-form/>

AIR

Revised 2023 and Later Model Year Light-Duty Vehicle Greenhouse Gas Emissions Standards The EPA is revising the greenhouse gas (GHG) emissions standards under the Clean Air Act section 202(a) for light-duty vehicles for 2023 and later model years to make the standards more stringent. On January 20, 2021, President Biden issued Executive Order 13990 “Protecting Public Health and the Environment and Restoring Science To Tackle the Climate Crisis” directing EPA to consider whether to propose suspending, revising, or rescinding the standards previously revised under the “The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks,” promulgated in April 2020. EPA is revising the GHG standards to be more stringent than the SAFE rule standards in each model year from 2023 through 2026. EPA is also including temporary targeted flexibilities to address the lead time of the final standards and to incentivize the production of vehicles with zero and near-zero emissions technology. In addition, EPA is making technical amendments to clarify and streamline our regulations. This final rule is effective on February 28, 2022.

<https://www.federalregister.gov/documents/2021/12/30/2021-27854/revised-2023-and-later-model-year-light-duty-vehicle-greenhouse-gas-emissions-standards>

NATURAL RESOURCES

Proposed Revisions to the National Handbook of Conservation Practices for the Natural Resources Conservation Service The Natural Resources Conservation Service (NRCS) is giving notice that it intends to issue a series of revised conservation practice standards in the National Handbook of Conservation Practices (NHCP). Engagement on behalf of DoD will be managed through the Office of Secretary of Defense.

<https://www.federalregister.gov/documents/2022/01/19/2022-00853/proposed-revisions-to-the-national-handbook-of-conservation-practices-for-the-natural-resources>

Environmental Security Technology Certification Program (ESTCP) Biological Control of Non-Indigenous Invasive Species Affecting Military Testing and Training Activities Objective The objective is to solicit proposals for testing and evaluation of known and existing species and methods for the biological control of non-indigenous, invasive plant, terrestrial vertebrate, or invertebrate species, while effectively protecting native species and their habitats. The scope of the proposed work must be targeted toward methods and species that specifically address invasive species while keeping in mind the integration of proposed methods with the DoD’s ecological land management and mission (i.e., testing and training) sustainment requirements. Pre-proposals are due March 10, 2022, prior to 2:00 p.m. (ET).

<https://www.serdp-estcp.org/Funding-Opportunities/ESTCP-Solicitations/BAA-Proposal-Instructions/FY23-ESTCP-BAA-Topic-B7-Biological-Control-of-Non-indigenous-Invasive-Species-Affecting-the-Military-Testing-and-Training-Activities>

TOXICS

EPA Requires Reporting on Releases and Other Waste Management of Certain PFAS, Including PFBS Section 7321 of the National Defense Authorization Act for Fiscal Year 2020 (NDAA) immediately added certain per- and polyfluoroalkyl substances (PFAS) to the list of chemicals covered by the Toxics Release Inventory (TRI) under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA) and provided a framework for additional PFAS to be added to TRI on an annual basis. TRI data are reported to EPA annually by facilities in certain industry sectors, including federal facilities, that manufacture, process, or otherwise use TRI-listed chemicals above certain quantities. The data include quantities of such chemicals that were released into the environment or otherwise managed as waste. Information collected through the TRI allows communities to learn how facilities in their area are managing listed chemicals. The data collected also help inform EPA's efforts to better understand the listed substances.

<https://www.epa.gov/toxics-release-inventory-tri-program/addition-certain-pfas-tri-national-defense-authorization-act>

WATER

National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Fact Sheet Series The EPA is seeking public input on updating the National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Fact Sheet Series. EPA's industrial stormwater program has 29 fact sheets currently posted online for each sector covered under the 2021 Multi-Sector General Permit (MSGP) for stormwater discharges from industrial activity. Each fact sheet describes the types of facilities included in the sector, typical stormwater pollutants associated with the sector, and types of stormwater control measures (SCMs) that may be used to minimize the discharge of the pollutants. EPA is seeking public input on the fact sheets, particularly focused on updating: Common activities, pollutant sources, and associated pollutants at facilities in each sector; and SCMs or best management practices (BMPs), including source control and good housekeeping/pollution prevention measures for potential pollutant sources at facilities in each sector. In updating the fact sheets, EPA will consider input received in response to this notice as well as any relevant comments related to the content of the fact sheets that the Agency received during the public comment period for the proposed 2021 MSGP. Engagement on behalf of DoD will be managed through the Office of Secretary of Defense.

<https://www.federalregister.gov/documents/2022/01/25/2022-01382/national-pollutant-discharge-elimination-system-npdes-industrial-stormwater-fact-sheet-series>

Reissuance and Modification of Nationwide Permits Nationwide Permits (NWP) authorize certain activities under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 that have no more than minimal individual and cumulative adverse environmental effects. In a proposed rule published in the September 15, 2020, issue of the Federal Register, the Corps proposed to reissue 52 existing NWPs and issue five new NWPs, plus the NWP general conditions and definitions. In a final rule published in the January 13, 2021, issue of the Federal Register, the Corps reissued 12 of the 52 existing NWPs and four of the five new NWPs, as well as the NWP general conditions and definitions. In this final rule, the Corps is reissuing the remaining 40 existing NWPs and issuing the remaining one new NWP. The NWP general conditions and definitions published in the January 13, 2021, issue of the Federal Register apply to the 41 NWPs reissued or issued in this final rule. The 41 NWPs in this final rule go into effect on February 25, 2022. The 41 NWPs in this final rule expire on March 14, 2026.

<https://www.federalregister.gov/documents/2021/12/27/2021-27441/reissuance-and-modification-of-nationwide-permits>

REGION I

Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.



Note: The Connecticut Legislature convened on February 9, 2022 and will adjourn on May 5, 2022.

No new environmental legislation or regulation of significant importance to the DoD was identified during this reporting period.



Note: The Maine Legislature convened on December 2, 2020 and will adjourn on April 20, 2022.

PROPOSED LEGISLATION

Maine LD 1911 This act would prohibit the contamination of clean soils with so-called forever chemicals.

<http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP1417&item=1&snum=130>

FINAL REGULATION

Maine Hydrofluorocarbon Prohibitions The Department of Environmental Protection has adopted a new rule to prohibit the use of certain hydrofluorocarbons in specific end use categories in concert with a multi-state effort to reduce greenhouse gas emissions and help mitigate climate change. This rule is required by statute, and will help Maine reach the statutory greenhouse gas emissions reduction targets in 38 M.R.S. 576-A. Effective December 16, 2021. <https://www.maine.gov/dep/rules/index.html#5846047>

PROPOSED REGULATION

Maine Control of Petroleum Storage Facilities The Department of Environmental Protection has proposed a rule that establishes new control, operating, inspection, testing, monitoring, recordkeeping, and reporting requirements for petroleum storage facilities throughout the state, in accordance with the requirements outlined by the legislature. <https://www.maine.gov/dep/rules/index.html#6410154>

Maine Degassing of Petroleum Storage Tanks, Marine Vessels, and Transport Vessels The Department of Environmental Protection has proposed a new rule to establish requirements to minimize emissions from the degassing of certain petroleum storage tanks, marine vessels, and transport vessels, and to ensure that these operations do not negatively impact air quality or public health. The standards and requirements proposed are based on, and consistent with, control requirements in other jurisdictions.

<https://www.maine.gov/dep/rules/index.html#6410150>



MASSACHUSETTS

Note: The Massachusetts Legislature convened on January 6, 2021 and will adjourn on January 2, 2023.

PROPOSED LEGISLATION

Massachusetts SD 2977 This act would establish a moratorium on the procurement of structures or activities generating PFAS emissions. <https://malegislature.gov/Bills/192/SD2977/Senate/Bill/Text>



NEW HAMPSHIRE

Note: The New Hampshire Legislature convened on January 5, 2022 and will adjourn on June 30, 2022.

PROPOSED LEGISLATION

New Hampshire HB 611 This act would abolish fluoridation in water.

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=488&txtFormat=html

New Hampshire HB 1547 This act would set maximum contaminant levels for perfluorochemicals in the soil.

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=1301&txtFormat=html

New Hampshire HB 1589 This act would prohibit the sale of products containing intentionally-added PFAS.

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=1267&txtFormat=html

New Hampshire HB 1618 This act would add several perfluorinated chemicals to the list of PFAS with maximum contaminant levels and establishes a cumulative total for the maximum contaminant level of PFAS.

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=1292&txtFormat=html

New Hampshire SB 429 This act pertains to the site evaluation committee and to the increase of various fees.

http://gencourt.state.nh.us/bill_status/legacy/bs2016/billText.aspx?sy=2022&id=2059&txtFormat=html

FINAL REGULATION

New Hampshire Requirements for Alteration of Terrain Permits and Consultation with NH Fish and Game

Department The Department of Environmental Services has adopted rulemaking that eliminates the requirement that every applicant perform a study and provide a report performed by a wildlife biologist. The proposal adopts a new requirement in Env-Wq 1503.33 that requires an applicant to request consultation with the NH Fish and Game Department (NHF&G) whenever the Natural Heritage Bureau database records identify threatened or endangered species in the vicinity of the proposed project and also if NHDES receives evidence, verified by NHF&G, of any state or federally listed threatened or endangered wildlife species in the vicinity of the project. Effective December 22, 2021.

<http://www.gencourt.state.nh.us/rules/register/viewer.aspx?fileName=F:\Websites\GCNHWeb\Rules\register\2022\No%20%20January%2013%202022.PDF>



RHODE ISLAND

Note: The Rhode Island Legislature convened on January 4, 2022 and will adjourn on June 30, 2022.

PROPOSED LEGISLATION

Rhode Island SB 2046 This act would mandate that all public water providers annually test and generate a report of the level of PFAS in their water supply. <http://webserver.rilin.state.ri.us/BillText22/SenateText22/S2046.htm>

Rhode Island SB 2047 This act would require public drinking water suppliers to utilize technologies to remove PFAS from public drinking water supplies. <http://webserver.rilin.state.ri.us/BillText22/SenateText22/S2047.htm>

Rhode Island SB 2087 This act would require the Department of Environmental Management to create environmental justice areas. <http://webserver.rilin.state.ri.us/BillText22/SenateText22/S2087.htm>



VERMONT

Note: The Vermont Legislature convened on January 6, 2021 and will adjourn on May 28, 2022.

PROPOSED LEGISLATION

Vermont HB 542 This act relates to establishing riparian protection areas in the State. <https://legislature.vermont.gov/Documents/2022/Docs/BILLS/H-0542/H-0542%20As%20Introduced.pdf>

Vermont HB 543 This act relates to regulation of wetlands in the State. <https://legislature.vermont.gov/Documents/2022/Docs/BILLS/H-0543/H-0543%20As%20Introduced.pdf>

Vermont HB 651 This act relates to environmental justice in Vermont. <https://legislature.vermont.gov/Documents/2022/Docs/BILLS/H-0651/H-0651%20As%20Introduced.pdf>

Vermont HB 694 This act relates to prohibiting PFAS in Vermont. <https://legislature.vermont.gov/Documents/2022/Docs/BILLS/H-0694/H-0694%20As%20Introduced.pdf>

FINAL REGULATION

Vermont Hazardous Waste Management Regulations The Agency of Natural Resources has adopted rulemaking to incorporate required new federal rules, clarify existing requirements, and address non-federal deficiencies identified in the current version (e.g., limiting the scope of the VT06 listing for pesticides, clarifying generator closure requirements, correcting typos). Changes include: adoption of the federal Generator Improvement, Electronic Manifest, and Hazardous Waste Pharmaceutical rules; revisions to hazardous waste import/export requirements; addition of new universal wastes; and revision of the used oil management standards. Effective February 1, 2022. <https://dec.vermont.gov/sites/dec/files/wmp/HazWaste/Documents/VHWMR%20Effective%20Feb%2001%2C%202022%20Complete%20Document.pdf>

REGION II

Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.



NEW JERSEY

Note: The New Jersey Legislature convened on January 11, 2022 and will adjourn on January 9, 2024.

PROPOSED LEGISLATION

New Jersey AB 179 This act would require the Department of Environmental Protection (DEP) to make certain information regarding water purveyors available on its Internet website.

https://www.njleg.state.nj.us/Bills/2022/A0500/179_I1.HTM

New Jersey AB 1439 This act would require each solid waste management district to develop strategy in solid waste management plan to reduce food waste. https://www.njleg.state.nj.us/Bills/2022/A1500/1439_I1.HTM

New Jersey AB 1670 This act would require boil water notices to be provided by certain public water systems via telephone, email or text message. https://www.njleg.state.nj.us/Bills/2022/A2000/1670_I1.HTM

New Jersey AB 1736 This act would require water purveyors to conduct, and report to DEP, water loss audits. https://www.njleg.state.nj.us/Bills/2022/A2000/1736_I1.HTM

New Jersey AB 1744 This act would revise the law concerning Class I and solar renewable energy portfolio standards, solar renewable energy certificates, and net metering. https://www.njleg.state.nj.us/Bills/2022/A2000/1744_I1.HTM

New Jersey AB 1990 This act would require DEP to adopt statewide plan to reduce lead exposure from contaminated soils and drinking water. https://www.njleg.state.nj.us/Bills/2022/A2000/1990_I1.HTM

New Jersey SB 252 The Safe Playing Fields Act would restrict use of lawn care pesticides at child care centers and certain schools. https://www.njleg.state.nj.us/Bills/2022/S0500/252_I1.HTM

New Jersey SB 402 This act would restrict discharge of firefighting foams containing PFAS for training or testing purposes. https://www.njleg.state.nj.us/Bills/2022/S0500/402_I1.HTM

New Jersey SB 420 The Water Resources Protection Trust Fund Act would establish user fees on water consumption and diversion; utilizes fee revenue for water quality, supply, and infrastructure projects. https://www.njleg.state.nj.us/Bills/2022/S0500/420_I1.HTM

New Jersey SB 421 This act would establish statewide targets to reduce disposal of organic waste in landfills and requires the DEP to adopt regulations to achieve targets. https://www.njleg.state.nj.us/Bills/2022/S0500/421_I1.HTM

PROPOSED REGULATION

New Jersey Control and Prohibition of Carbon Dioxide Emissions The DEP has proposed new rules and amendments as part of a comprehensive strategy to implement relevant provisions of the Global Warming Response Act (GWRA). The GWRA requires New Jersey to reduce greenhouse gas emissions and short-lived climate pollutants. Through this rulemaking, the Department proposes to reduce emissions of CO₂ from: (1) fossil fuel-fired electric generating units (EGUs) through the application of emission limits; (2) commercial and industrial fossil fuel-fired boilers based upon additional permit requirements; and (3) No. 4 and No. 6 fuel oil by banning their sale and use.

<https://www.state.nj.us/dep/rules/notices/20211206a.html>

OTHER ACTIONS AND OPPORTUNITIES

New Jersey Pollutant Discharge Elimination System: Fiscal Year 2022 Annual Fee Report and Assessment of Fees

The DEP has invited public comment on the Fiscal Year (FY) 2022 Annual Fee Report and Assessment of Fees for the New Jersey Pollutant Discharge Elimination System (NJPDES) program. The NJPDES program regulates wastewater discharges from publicly and privately owned wastewater management systems, including certain stormwater discharges, as well as the disposal of residuals from treatment systems.

https://www.nj.gov/dep/dwq/pdf/NJPDES_Fees_Notice_2022.pdf

New Jersey Notice of Establishment of an Interim Specific Ground Water Quality Criterion for Constituents in Class II-A Ground Water

The DEP has established an interim specific ground water quality criterion (ISGWQC) of 0.002 micrograms per liter (µg/L) for chloroperfluoropolyether carboxylates (CIPFPECAs). N.J.A.C. 7:9C-1.7©2 enables the Department to establish an ISGWQC in Class II ground water for a constituent that is not listed in Appendix Table 1 of N.J.A.C. 7:9C. https://www.nj.gov/dep/srp/srra/listserv_archives/2022/20220118_srra.html



Note: The New York State Legislature convened on January 6, 2021 and will adjourn on January 1, 2023.

PROPOSED LEGISLATION

New York AB 9127 This act would maintain the continued viability of the state's existing biomass facility which is located within a military installation by deeming such facility a renewable energy system within the renewable energy program established by the public service commission by its order adopting or modifying the clean energy standard. https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=A9127

New York SB 7788 This act would provide that one hundred percent of in-state sales of new passenger cars and trucks shall be zero-emissions by two thousand thirty-five; provides that it shall be a further goal of the state to transition to one hundred percent zero-emissions from new off-road vehicles and equipment purchased beginning in 2035, where feasible. https://assembly.state.ny.us/leg/?default_fld=&Text=Y&term=2021&bn=S7788

REGION III

Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.



Note: The Council of the District of Columbia convened January 2, 2021 and will adjourn on December 31, 2022.

No new environmental legislation or regulation of significant importance to the DoD was identified during this reporting period



Note: The Delaware General Assembly convened on January 12, 2021 and will adjourn on June 30, 2022.

No new environmental legislation or regulation of significant importance to the DoD was identified during this reporting period.



Note: The Maryland General Assembly convened on January 12, 2022 and will adjourn on March 18, 2022.

PROPOSED LEGISLATION

Maryland HB 275 (SB273) This act would prohibit, on or after January 1, 2023, a person from using, manufacturing, or knowingly selling or distributing Class B fire-fighting foam that contains intentionally added PFAS chemicals in the State; prohibit a person from manufacturing, selling, or distributing a certain rug or carpet in the State; and prohibit a manufacturer or distributor from manufacturing, selling, or distributing certain food packaging designed for direct food contact in the State.

<https://mgaleg.maryland.gov/2022RS/bills/hb/hb0275F.pdf>

<https://mgaleg.maryland.gov/2022RS/bills/sb/sb0273F.pdf>

Maryland HB 649 (SB492) This act would limit the period of time for which the Department of the Environment may administratively continue certain water pollution discharge permits; establishing inspection and reporting requirements for certain permit holders; establishing administrative penalties for certain permit holders determined to be in significant noncompliance of certain State or federal water quality standards, effluent limitations, or other requirements.

<https://mgaleg.maryland.gov/2022RS/bills/hb/hb0649F.pdf>

<https://mgaleg.maryland.gov/2022RS/bills/sb/sb0492F.pdf>

Maryland SB 268 (HB387) This act would transfer the regulation of pesticides, plant diseases, and mosquitos in the State from the Department of Agriculture to the Department of the Environment.

<https://mgaleg.maryland.gov/2022RS/bills/sb/sb0268F.pdf>

<https://mgaleg.maryland.gov/2022RS/bills/hb/hb0387F.pdf>

Maryland SB 490 This act would alter the definitions of "recyclable materials" and "solid waste stream" under the Maryland Recycling Act to include construction and demolition debris.

<https://mgaleg.maryland.gov/2022RS/bills/sb/sb0490F.pdf>

Maryland SB 492 (HB649) This act would limit the period of time for which the Department of the Environment may administratively continue certain water pollution discharge permits; establishing inspection and reporting requirements for certain permit holders; establishing administrative penalties for certain permit holders determined to be in significant noncompliance of certain State or federal water quality standards, effluent limitations, or other requirements.

<https://mgaleg.maryland.gov/2022RS/bills/sb/sb0492F.pdf>

<https://mgaleg.maryland.gov/2022RS/bills/hb/hb0649F.pdf>

PROPOSED REGULATION

Maryland Oil Pollution Control and Storage Tank Management The Department of Environment has proposed rulemaking to repeal and replace the existing chapters in COMAR 26.10 and add two new chapters to comprehensively modernize the State's oil pollution control and storage tank management regulations.

<https://mde.maryland.gov/programs/Land/OilControl/Pages/index.aspx>



Note: The Pennsylvania General Assembly convened on January 5, 2021 and will adjourn on November 30, 2022.

PROPOSED LEGISLATION

Pennsylvania HB 2256 This act would amend the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, in powers and duties of the Department of Environmental Resources, its officers and departmental and advisory boards and commissions, and providing for the Office of Environmental Justice.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=H&billTyp=B&billNbr=2256&pn=2616>

Pennsylvania SB 1030 This act would provide for suspension of the Pennsylvania Heavy-Duty Diesel Emissions Control Program and for expiration of suspension.

<https://www.legis.state.pa.us/cfdocs/legis/PN/Public/btCheck.cfm?txtType=PDF&sessYr=2021&sessInd=0&billBody=S&billTyp=B&billNbr=1030&pn=1337>

PROPOSED REGULATION

Pennsylvania National Pollutant Discharge Elimination System (NPDES) Schedules of Compliance The Department of Environmental Protection has proposed to revise the schedule of compliance for NPDES permits, which are required by federal and state law to control the discharge of pollutants to surface waters. When a discharger is not in compliance with state water quality standards (WQS), the Department may establish a schedule of compliance in an NPDES permit to ensure compliance in the shortest, reasonable period of time, not to exceed 5 years unless a court order provides for a longer period of time. <http://www.irrc.state.pa.us/docs/3327/AGENCY/3327PRO.pdf>

Pennsylvania VOC RACT Requirements for Shipbuilding and Ship Repair Surface Coatings, Large Petroleum Dry Cleaning Facilities and Synthetic Organic Chemical Manufacturing Industry Processes for the 2015 Ozone NAAQS

The Department of Environmental Protection has proposed to amend Chapters 121 and 129 (relating to general provisions; standards for sources) to establish presumptive volatile organic compound (VOC) reasonably available control technology (RACT) requirements and RACT emission limitations for shipbuilding and ship repair facility surface coating operations. synthetic organic chemical manufacturing industry (SOCMI) processes and large petroleum dry cleaning facilities, and add definitions to § 121.1 (relating to definitions) to support the proposed amendments to Chapter 129. These proposed amendments are designed to implement requirements of the Clean Air Act (CAA) (42 U.S.C.A. § 7401—7671 q) and to address the 2015 ozone National Ambient Air Quality Standards (NAAQS) in this Commonwealth. <http://www.irrc.state.pa.us/docs/3329/AGENCY/3329PRO.pdf>



Note: The Virginia General Assembly convened on January 12, 2022 and will adjourn on March 8, 2022.

PROPOSED LEGISLATION

Virginia HB 393 This act would require the State Water Control Board to analyze the economic or social impact on residents who and communities that have historically been economically or socially disadvantaged when considering any project or development that would constitute a new or increased discharge of effluent into high quality water. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB393+hil>

Virginia HB 469 This act would amend and reenact §§ 10.1-1308, 45.2-1706.1, 45.2-1710, 56-585.1, 56-585.5, and 56-596.2 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 17 of Title 45.2 an article numbered 9, consisting of sections numbered 45.2-1734 through 45.2-1743, relating to carbon allowances; clean energy mandates; fossil fuel project moratorium; energy efficiency; transitioning workers; environmental justice; Climate Action Plan; recovery of cost of clean energy facilities; Commonwealth Clean Energy Policy; civil penalties; and the New Virginia Economy Act. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB469+hil>

Virginia HB 541 This act would allow any locality to adopt an ordinance providing for the conservation of trees during the land development process. Under current law, only a locality within Planning District 8 that meets certain population density and nonattainment classification criteria is authorized to adopt such an ordinance. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB541+hil>

Virginia HB 885 This act would expand the list of provisions in the Uniform Statewide Building Code related to recognized standards of health and safety required to be present in buildings and structures to include standards related to (i) the accumulation and growth of mold, (ii) plumbing leaks or issues, (iii) air conditioning and heating equipment and running hot water, and (iv) the removal of lead paint and paint that is flaking.

<http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB885+hil>

Virginia HB 899 This bill would direct the State Water Control Board to regulate aboveground storage tanks that measure more than 250 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, and other requirements of tank owners, and that establish a schedule of registration and renewal fees. The bill authorizes the Board to undertake corrective action in the event of a discharge of a hazardous substance. The bill requires tank owners notify certain parties in the event of a release of a regulated substance. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund, with moneys from the Fund to be used solely for the administration of the bill, and provides for civil penalties for violations of requirements of the bill, with such moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB899+hil>

Virginia HB 919 This act would provide that the regulations that the Board of Health is required to adopt under current law establishing maximum contaminant levels (MCLs) in all water supplies and waterworks in the Commonwealth for (i) perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and such other PFAS as the Board deems necessary, (ii) chromium-6, and (iii) 1,4-dioxane.

<http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB919+hil>

Virginia HB 1011 This act would direct the Commissioner of Health to convene a work group to study the occurrence of PFAS, including PFOA, PFOS, perfluorobutyrate (PFBA), perfluoroheptanoic acid (PFHpA), perfluorohexane sulfonate (PFHxS), perfluorononanoic acid (PFNA), hexafluoropropylene oxide-dimer acid (HFPO-DA), perfluorohexanoic acid (PFHxA), perfluoropentanoic acid (PFPeA), and perfluorobutane sulfonic acid (PFBS), in drinking water in the Commonwealth. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB1011+hil>

Virginia HB 1204 This act would prohibit American Electric Power or Dominion Energy Virginia from being required (i) to procure and retire renewable energy certificates to comply with a renewable energy portfolio standard program (RPS Program) prior to January 1, 2025 and (ii) to procure and retire renewable energy certificates to comply with an RPS Program at any time from an eligible generating source with a capacity of one megawatt or lower. This act would also remove the authority of the State Air Pollution Control Board to issue, deny, renew, amend, or extend a minor new source review air permit. The bill provides that the Executive Director of the Department of Environmental Quality has such authority to issue, deny, renew, amend, or extend a minor new source review air permit.

<http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB1204+hil>

Virginia HB 1355 This act would amend the Code of Virginia by adding in Chapter 17 of Title 45.2 an article numbered 9, consisting of sections numbered 45.2-1734, 45.2-1735, and 45.2-1736, relating to moratorium on fossil fuel projects. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+HB1355+hil>

Virginia SB 81 This act would limit when the Air Pollution Control Board must consider certain facts and circumstances relevant to the reasonableness of the activity involved.

<http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+SB81+hil>

Virginia SB 250 This act would increase the annual fees for non-hazardous solid waste management facilities and indexes the fees annually based on the change in the Consumer Price Index.

<http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+SB250+hil>

Virginia SB 657 This act would limit the authority of the Air Pollution Control Board and the State Water Control Board to issuance of regulations and transfers the Boards' existing authority to issue permits and orders to the Department of Environmental Quality. <http://leg1.state.va.us/cgi-bin/legp504.exe?221+ful+SB657+hil>

OTHER ACTIONS AND OPPORTUNITIES

Hampton Roads Sanitation District (HRSD) Pollution Prevention Award Each year HRSD honors businesses and industries for outstanding pollution prevention (P2) measures. P2 awards are presented for multi-media (air, land, water) efforts that focus on reduction of waste (or its toxicity) at the source rather than traditional treatment, control, and disposal. Applications are due by April 1, 2022.

<https://www.hrsd.com/pollution-prevention-p2-awards>



Note: The West Virginia Legislature convened on January 12, 2022 and will adjourn on April 10, 2022.

PROPOSED LEGISLATION

West Virginia HB 2102 This act relates to required notices for air quality permits prior to the permit being granted. http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=HB2102%20INTR.htm&yr=2022&sesstype=RS&i=2102

West Virginia HB 2131 This act would clarify that the county or regional solid waste authority that may impose and collect an additional solid waste assessment fee is the county or region where the waste originates. http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=HB2131%20INTR.htm&yr=2022&sesstype=RS&i=2131

West Virginia HB 2234 This act would require public hearing for applicant for air quality permit relating to facility of certain investment value. http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=HB2234%20INTR.htm&yr=2022&sesstype=RS&i=2234

West Virginia HB 4055 This act would direct the Department of Health and Human Resources to propose maximum contaminant levels or treatment techniques for certain PFAS pollutants, would create the West Virginia PFAS Action Response Team, and would require the Secretary of the DEP to propose updates to the numeric Public Water Supply human health criteria. http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=HB4055%20INTR.htm&yr=2022&sesstype=RS&i=4055

West Virginia SB 309 This act relates to the Fire Commission Rule as it relates to use of aqueous film-forming foam for fire training program purposes. http://www.wvlegislature.gov/Bill_Status/bills_text.cfm?billdoc=SB309%20INTR.htm&yr=2022&sesstype=RS&i=309

REGION IV

Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.



Note: The North Carolina General Assembly convened on January 13, 2021 and will adjourn on June 30, 2022.

No new environmental legislation or regulation of significant importance to the Navy was identified during this reporting period.



Note: The Kentucky Legislature convened on January 4, 2022 and will adjourn on March 30, 2022.

PROPOSED LEGISLATION

Kentucky HB 338 This act would require the Energy and Environment Cabinet on or before January 1, 2023, to promulgate administrative regulations establishing maximum PFAS chemical limits and monitoring requirements for drinking water provided by public and semi-public water systems and maximum PFAS chemical limits and monitoring requirements for discharges into the waters of the Commonwealth; require that maximum PFAS chemical limits be designed to protect public health and be updated; provide that nothing in the section interferes with the Energy and Environment Cabinet's responsibilities under the federal Water Pollution Control Act or the Safe Drinking Water Act. https://apps.legislature.ky.gov/recorddocuments/bill/22RS/hb338/orig_bill.pdf

REGION V

Notice: With regard to any regulation or legislation, installation staff is requested to contact their respective component REC with information on mission or installation impacts, questions, or comments.



Note: The Illinois General Assembly convened on January 13, 2021 and will adjourn on January 11, 2023.

PROPOSED LEGISLATION

Illinois HB 4711 and SB 3721 This act provides that for any person applying a pesticide that results in exposure to the pesticide by a human, the penalty shall be \$2,500 and provides that an additional penalty of \$1,000 shall be assessed for each individual human exposed to the pesticide.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB4711lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=4711&print=true>

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200SB3721lv&SessionID=110&GA=102&DocTypeID=SB&DocNum=3721&print=true>

Illinois HB 4795 This act provides that the Agency shall establish a take back program for local fire departments and fire protection districts that use and store firefighting foam identified as having added PFAS, provides that the program will be available to those fire departments or fire districts who have participated in the annual survey under the act and provides that the program shall provide funding and resources to assure the proper destruction of these products, however not require the participation of any fire department or fire protection district.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB4795lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=4795&print=true>

Illinois HB 4818 This act provides that the disposal by incineration of any PFAS, including, but not limited to, aqueous film forming foam, is prohibited. This act also provides that if a rule or regulation is published by the USEPA regarding all or part of the subjects of these provisions, the rule or regulation shall be controlling over these provisions.

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB4818lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=4818&print=true>

Illinois HB 5436 and SB 383 This act provides that the filing fees for specified petitions shall be \$250 (rather than \$75).

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200HB5436lv&SessionID=110&GA=102&DocTypeID=HB&DocNum=5436&print=true>

<https://www.ilga.gov/legislation/fulltext.asp?DocName=10200SB3837lv&SessionID=110&GA=102&DocTypeID=SB&DocNum=3837&print=true>



INDIANA

Note: The Indiana General Assembly convened on January 4, 2022 and will adjourn on March 11, 2022.

PROPOSED LEGISLATION

Indiana HB 1184 This act would require the state department of health to establish state maximum contaminant levels for PFAS in water provided by public water systems. <http://iga.in.gov/legislative/2022/bills/house/1184>

Indiana HB 1276 This act would establish the PFAS chemical blood testing program under the department of health (department) for the purpose of blood testing certain individuals for a higher concentration of PFAS chemicals to study the health effects of a higher concentration of PFAS chemicals in an individual's blood. <http://iga.in.gov/legislative/2022/bills/house/1276>

Indiana HB 1286 This act would authorize a town or a city other than Indianapolis to enter into a contract for the collection and disposal of solid waste through a request for proposals process instead of an invitation for bids process. <http://iga.in.gov/legislative/2022/bills/house/1286>

Indiana HB 1378 This act would require the person or entity having authority over a child care facility or preschool to test the drinking water in the child care facility or preschool before January 1, 2025, to determine whether lead is present in the drinking water in a concentration equal to or exceeding 15 parts per billion. <http://iga.in.gov/legislative/2022/bills/house/1378>

Indiana SB 255 This act would establish the climate and environmental justice task force. <http://iga.in.gov/legislative/2022/bills/senate/255>

PROPOSED REGULATION

Indiana Guidelines for Submittal and Review of Annual Compliance Certifications under the Federally Enforceable State Operating Permit and Part 70 Permit Programs The Department of Environmental Management has issued guidelines for Indiana Department of Environmental Management Federally Enforceable State Operating Permit (FESOP) and Part 70 permittees for the annual compliance certification (ACC) submittal and review requirements under 326 IAC 2-7-5, 326 IAC 2-7-6(5)©, and 326 IAC 2-8-5(a)(1)©. <http://iac.iga.in.gov/iac//20220112-IR-326220001NRA.xml.html>

OTHER ACTIONS AND OPPORTUNITIES

The Indiana Department of Environmental Management (IDEM) Governor's Awards for Environmental Excellence
The IDEM Governor's Awards for Environmental Excellence are Indiana's most prestigious environmental recognition awards. They are reserved for the most innovative, sustainable, and exemplary programs or projects that positively impact Indiana's environment and demonstrate measurable environmental, economic, and social benefits. Only one award per category will be presented during a ceremony in September annually. The 2022 Awards Program is now accepting nominations until Monday, April 4, 2022 5:00 p.m. EST. <https://www.in.gov/idem/partnerships/governors-awards-for-environmental-excellence/>



MICHIGAN

Note: The Michigan Legislature convened on January 13, 2021 and will adjourn on December 31, 2022.

PROPOSED LEGISLATION

Michigan SB 820 This act would require local units of government to impose a ban on the use of natural gas or installation of natural gas infrastructure.

<http://www.legislature.mi.gov/documents/2021-2022/billintroduced/Senate/htm/2022-SIB-0820.htm>



OHIO

Note: The Ohio General Assembly convened on January 4, 2021 and will adjourn on December 31, 2022.

No new environmental legislation or regulation of significant importance to the Navy was identified during this reporting period.

WISCONSIN



1848

WISCONSIN

Note: The Wisconsin Legislature convened on January 4, 2021 and will adjourn on December 31, 2022.

PROPOSED LEGISLATION

Wisconsin AB 787 (SB 774) This act relates to a report on environmental impacts to vulnerable communities and granting rule-making authority.

<https://docs.legis.wisconsin.gov/2021/related/proposals/ab787.pdf>

<https://docs.legis.wisconsin.gov/2021/related/proposals/sb774.pdf>

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